

MEETING OF
THE DELAWARE AGRICULTURAL LANDS PRESERVATION FOUNDATION

A meeting of the Delaware Agricultural Lands Preservation Foundation was held at the Delaware Department of Agriculture, 2320 S. DuPont Hwy., Dover, Delaware, September 17, 2014, with the following members in attendance:

Robert F. Garey, Chairman
William Vanderwende, Vice Chairman
William H. "Chip" Narvel, Jr., Secretary
Peter Martin
Theodore P. Bobola, Jr.

Lisa Embert representing Chip Flowers, Jr., State Treasurer
Kevin Coyle representing David Small, Secretary of DNREC
Ed Kee, Secretary of Agriculture
Robert Emerson

Absent: L. Allen Messick, Jr.

The following staff members were in attendance: Austin Short, Chief of Planning and Deputy Secretary of Agriculture
Scott Blaier, Howard Mesick, Milton Melendez, Kathi Spangler, and Cathy Mesick.

Others in attendance: F. Michael Parkowski, Edward Robinson, and John Herriott (Advantage Engineers).

Chairman Garey opened the meeting at 8:30 a.m.

I. Current Situation Report:

Scott Blaier informed the Board that we have a total of 1,046 farms in preservation districts totaling 167,197 acres, with a total of 796 farms under agricultural easements totaling 115,166 acres. This easement information will be correct if all the current easements are settled. Austin Short told the Board that the two settlements still pending from Round 17 are a Paskey property, which had a property boundary discrepancy that was recently resolved, and the Sussex County Land Trust which have been very slow to respond to our requests. Michael Parkowski informed the Board that they are not required to purchase an easement and do not have to wait indefinitely for an owner to cooperate. After discussion, it was decided that staff will send a letter to give the Land Trust a deadline to respond. Scott Blaier informed the Board that there are 36 settlements remaining from Round 18, and there will be a delay in Federal funding for Round 18. Austin Short said that the Federal funds will be frozen on September 30th (the end of the Federal fiscal year), and that OMB will then reappropriation these funds and redistribute them to the States. This process could take up to 3 months. Staff are hoping to settle 6 of the 24 Federal properties this month, but any remaining federally funded settlements will have to wait until the Federal funds are reappropriated. Scott said that there are 154 properties to appraise in Round 19 with 27 new applications received, and that Karen is almost finished Round 19. Michael Parkowski said that he will start to meet this month with landowners. Scott Blaier continued with the review of the Forestland Preservation Program, there are 34 Forestland Preservation Areas comprising 2,582 acres. The Forestland Preservation Program has not changed since the last meeting.

Austin Short added that a meeting is planned later this fall with USDA NRCS to discuss the requirements in the new Federal easement program (Agricultural Conservation Easement Program – ACEP) that was established in the 2014 Farm Bill. Currently, the proposed cooperative agreement and conservation easement deed contain requirements that we cannot accept. We hope to negotiate acceptable terms with NRCS by the end of 2014 so that Federal funds are available for Round 19.

II. Young Farmers Report

Austin Short said that one loan (Riddle) settled since the July meeting, and one (Tull) remains to settle. IF this loan does not settle by the October meeting, staff will contact Ms. Tull to determine if she is going to purchase her farm. We continue to receive inquiries about the program; however, we are not accepting loan applications as we have very little funding available.

III. Monitoring Report:

Milton Melendez informed the Board that all 330 federal properties have been visited, and 477 non-federal properties have been visited.

IV. District Final Approval:

1. Stokely-Pettyjohn Tract District, ID#S-13-09-268. Milton Melendez and Austin Short explained that this was a re-approval, as one parcel was mistakenly left out of the original application. After discussion, **William Vanderwende moved to accept for final approval the Stokely-Pettyjohn Tract District, seconded by Chip Narvel. Motion unanimously approved.**

V. Expansion Eligibility and Final Approval (Contingent Sale):

1. MacCauley Expansion of the Stayton's District, ID#K-14-08-205U. After discussion, **Kevin Coyle moved to accept for eligibility/final approval, contingent upon sale, the MacCauley Expansion of the Stayton's District, seconded by Lisa Embert. Motion unanimously approved.**

VI. Expansion Eligibility and Final Approval:

1. Starke Expansion of the Simpson Farm District, ID#K-14-05-072I. After discussion, **Chip Narvel moved to accept for eligibility/final approval the Starke Expansion of the Simpson Farm District, seconded by Ed Kee. Motion unanimously approved.**

2. Boston Expansion of the Collins Acres District, ID#S-14-02-065S. After discussion, **Kevin Coyle moved to accept for eligibility/final approval the Boston Expansion of the Collins Acres District, seconded by Theodore P. Bobola, Jr. Motion unanimously approved.**

3. Breeding Family Farm Expansion of the Elmer-Wink Vanderwende District, ID#S-14-04-149M. After discussion, **William Vanderwende moved to accept for eligibility/final approval the Breeding Family Farm Expansion of the Elmer-Wink Vanderwende District, seconded by Chip Narvel. Motion unanimously approved.**

4. East 40 Expansion of the Lin-Lo Farms, Inc. District, ID#S-14-06-182F. After discussion, **Ed Kee moved to accept for eligibility/final approval the East 40 Expansion of the Lin-Lo Farms, Inc. District, seconded by Kevin Coyle. Motion unanimously approved.**

VII. Secretary of Agriculture's Veto:

The Secretary of Agriculture, Ed Kee, waived the right of veto for the above District and Expansions.

VIII. Public Comments:

No public comments were received.

IX. Minutes:

Chairman Garey asked if there were any comments or changes to the July 16, 2014 minutes. Hearing no changes, the Chairman asked for a motion to approve the minutes. **Chip Narvel moved to approve the July minutes, seconded by Robert Emerson. Motion unanimously approved.**

X. Financial Highlights:

Howard Mesick presented the Financial Statement for the month of July 31, 2014, informing the Foundation Board that we had, as of July 31, 2014, \$400,967.45 in the Foundation's interest bearing State of Delaware account. Interest income was \$16.91, and license plates income was \$490.00. Roll back taxes were received from New Castle County. Expenditures for the month of July totaled \$14,375.16. After discussion, **Lisa Embert moved to accept the July financial statement as presented, seconded by Kevin Coyle. Motion unanimously approved.**

Howard Mesick next presented the Financial Statement for the month of August 31, 2014, informing the

Foundation Board that we had, as of August 31, 2014, \$376,096.20 in the Foundation's interest bearing State of Delaware account. Interest income was \$14.29. Expenditures for the month of August totaled \$25,595.04. After discussion, **Kevin Coyle moved to accept the August financial statement as presented, seconded by Ed Kee. Motion unanimously approved.**

XI. Executive Session:

It was indicated by Mr. Michael Parkowski that there was no need for an Executive Session.

XII. Other Business:

1. Robinson Expansion of the Whitby Farms LP District, ID#K-12-03-067Q. Cell Tower Request.

Milton Melendez presented the cell tower request. Mr. John Herriott, representing Advantage Engineers, answered questions from the Board concerning the gravel road and the impact of the cell tower on the surrounding farmland. Mr. Melendez informed the board that the lease agreement was approved by Bill Denman following some revisions. After discussion, **William Vanderwende moved to accept the request for a cell tower, seconded by Ed Kee. Motion unanimously approved.**

Chairman Garey mentioned that the meeting with the Farm Bureau Land Preservation Committee went very well. Austin Short, Michael Parkowski and Secretary Kee all said it was a positive meeting and that the Farm Bureau will give us their recommendations concerning the Foundation's proposed legislation.

XIII. Adjournment

As there was no further business to come before the Foundation the meeting adjourned at 9:05 a.m. The next meeting of the Foundation will be held on October 20, 2014 at the Delaware Department of Agriculture beginning at 8:30 a.m.

Respectfully submitted,

Robert F. Garey
Chairman